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BARNES & THORNBURG

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group:	3764
Confirmation No.:	2081
Application No.:	10/083,966
Invention:	METHOD AND APPARATUS FOR INDUCING SPUTUM SAMPLES FOR DIAGNOSTIC EVALUATION
Applicant:	Nicholas P. Van Brunt, et al.
Filed:	February 25, 2002
Attorney Docket:	7175-74147
Examiner:	Danton D. DeMille

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on March 29, 2004

Karen Taylor
(Signature)

Karen Taylor
(Printed Name)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This statement is filed in the application identified above pursuant to 37 C.F.R. § 1.56. No representation is intended that a complete search has been made of the prior art or that no better art references than those listed on the attached PTO Form 1449 are available. Except for four references which the undersigned has not yet been able to obtain, a copy of each listed reference is provided for review by the Examiner. The filing of this Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in § 1.56(b).

None of the prior art listed on the attached PTO Form 1449 is believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over these references. Please charge any fees that might be due in connection with this Information Disclosure Statement to Barnes & Thornburg Deposit Account No. 10-0435, with reference to our matter number 7175-74147.

Respectfully submitted,

BARNES & THORNBURG

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 7175-74147	SERIAL NO. 10/083,966
	APPLICANT Nicholas P. Van Brunt, et al.	
	FILING DATE February 25, 2002	GROUP 3764

UNITED STATES PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA						
	AB						
	AC						
	AD						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No
	AE						
	AF						
	AG						
	AH						

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AI	P. Wingo, et al., *Cancer Statistics, 1995*, CA Cancer J Clin 1995, 45:8-30.
	AJ	*Cancer Facts & Figures - 1996*, American Cancer Society, 1996.
Copy Not Enclosed	AK	National Cancer Institute Cooperative Early Lung Cancer Group, Manual of Procedures (NIH Publication No. 79-1972), ed. 2, Washington DC, Government Printing Office, 1979.
Copy Not Enclosed	AL	National Lung Program, Memorial Sloan-Kettering Cancer Center: Final report and data summary, December 31, 1984, Bethesda, MD, National Cancer Institute, 1984.
	AM	M. Tockman, *Survival and Mortality from Lung Cancer in a Screened Population*, The John Hopkins Study, Chest (Supplement), pp. 324-325, April 1986.
	AN	R. Fontana, et al., *Lung Cancer Screening: The Mayo Program*, Journal of Occupational Medicine, Vol. 28, No. 8, pp. 746-750, August 1986.
	AO	*Early Lung Cancer Detection: Summary and Conclusions*, Screening for Lung Cancer, AM REV RESPIR DIS, pp. 565-570, 1984.
	AP	L. Mao, et al., *Detection of Oncogene Mutations in Sputum Precedes Diagnosis of Lung Cancer*, Cancer Research, 54, pp. 1634-1637, April 1994.
	AQ	L. Mao, et al., *Microsatellite Alterations as Clonal Markers for the Detection of Human Cancer*, Proc. Natl. Acad. Sci. USA, Vol. 91, pp. 9871-9875, October 1994.
	AR	D. Sidransky, *Importance of Chromosome 9p Loss in Human Lung Cancer*, Journal of the National Cancer Institute, Vol. 87, No. 16, August 16, 1995.
	AS	M. Tockman, et al., *Sensitive and Specific Monoclonal Antibody Recognition of Human Lung Cancer Antigen on Preserved Sputum Cells: A New Approach to Early Lung Cancer Detection*, Journal of Clinical Oncology, Vol. 6, No. 11, pp. 1685-1693, November 1988.

Examiner	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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UNITED STATES PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	BA						
	BB						
	BC						
	BD						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No
	BE						
	BF						
	BG						
	BH						

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	BI	M. Tockman, et al., *The Early Detection of Second Primary Lung Cancers by Sputum Immunostaining*, Chest (Supplement), pp. 385-390, December 1994.
	BJ	C. MacAulay, et al., *Malignancy Associated Changes in Epithelial Cells from Bronchial Biopsies*, Abstracts, Chest, p. 260.
	BK	P. Payne, et al., *Sputum Screening by Quantitative Microscopy: A Reexamination of a Portion of the National Cancer Institute Cooperative Early Lung Cancer Study*, Mayo Clinic Proceedings, Vol. 72, pp. 697-704, August 1997.
	BL	W. Umiker, et al., *Collection of Sputum for Cytologic Examination, Spontaneous vs. Artificially Produced Sputum*, The New England Journal of Medicine, Vol. 262, pp. 565-566, March 1960.
	BM	D. Rome, et al., *A Direct Comparison of Natural and Aerosol Produced Sputum Collected from 776 Asymptomatic Men*, Acta Cytologica, pp. 173-176, May-June 1961.
	BN	B. Pedersen, et al., *The Value of Provoked Expectoration in Obtaining Sputum Samples for Cytologic Investigation*, Acta Cytologica, pp. 750-752, September-October 1985.
	BO	T. Kennedy, et al., *Efficacy of Two Sputum Collection Techniques in Patients with Air Flow Obstruction*, Acta Cytologica, pp. 630-636, July-August 1999.
Copy Not Enclosed	BP	R. Agostinis, et al., *High-Frequency Chest Compression in Combination with Hypertonic Saline Improves Sputum Cytologic Yield* (Abstract), ATS International Conference, May 1995.
Copy Not Enclosed	BQ	R. L. Jones, et al., *Use of High-Frequency Chest Compression Plus Hypertonic Saline Aerosol to Provide Sputum Samples for Diagnosis of Lung Cancer (Abstract), Alberta Respiratory Disease Symposium, 1995.*
	BR	M. Mckinnon, et al., *Optimal Sputum Cytology Collection Method*, Chest (Supplement), October 1996.
	BS	

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